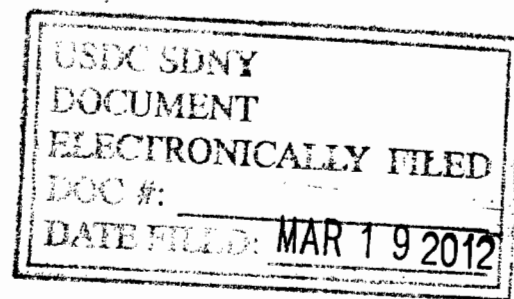


Vivian Shevitz
Attorney at Law
401 Cumberland Ave. – Apt. 609
Portland, Maine 04101
914-763-2122
Fax: 888 859-0158
Vivian@shevitzlaw.com



March 8, 2012

Honorable Laura Taylor Swain (by fax)
United States District Court Judge Southern District of New York
500 Pearl Street
New York, NY 10007

Re: SEC v. Amerindo Investment Advisors, Inc., et al.,
05-Civ.- 5231(LTS)

Dear Judge Swain:

I write to oppose the SEC's request to have more time – beyond the next conference – to respond to Gary Tanaka's motion to dismiss the complaint.

The point of the motion is: there should be no "next conference." The case should be dismissed. As the motion papers state, what prompted the motion is the failure of the SEC to add anything to the talks about getting investors' funds returned, as due. I would suggest putting *off* the next conference, instead of letting the SEC not respond as to why the case should proceed when there are constitutional violations and a failure of support for the case in the first place.

Very truly yours,
/s/
Vivian Shevitz

Cc: all counsel and claimants (by email)